

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

**No. CV 10-1163 WJ/DJS
CR 07-1769 WJ**

JOSEPH RUIZ,

Defendant/Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. No. 8], filed on August 12, 2011. Movant timely filed objections on August 26, 2011 [Doc. No. 9]. After conducting a *de novo* review of the Magistrate Judge's report, the record, and the relevant legal authorities, the Court finds that the objections are without merit and adopts the Magistrate Judge's Proposed Findings and Recommended Disposition.

IT IS HEREBY ORDERED that the proposed findings and recommended disposition of the United States Magistrate Judge are adopted by the Court;

IT IS FURTHER ORDERED that Defendant/Movant Ruiz's motion seeking relief pursuant to 28 U.S.C. §2255 is **DENIED**, without an evidentiary hearing.

IT IS FURTHER ORDERED that a final judgment dismissing this case and all of Defendant/Movant Ruiz's claims, with prejudice, be entered concurrently with this order.


UNITED STATES DISTRICT JUDGE